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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,829	10/23/2003	Takashi Fujimori	P/1912-28	6332
2352 7590 08/08/2007 OSTROLENK FABER GERB & SOFFEN 1180 AVENUE OF THE AMERICAS NEW YORK, NY 100368403			EXAMINER PARK, JUNG H	
			ART UNIT 2616	PAPER NUMBER
			MAIL DATE 08/08/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/691,829

Applicant(s)

FUJIMORI, TAKASHI

Examiner

Jung Park

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 32-34, 36 and 37 is/are allowed.
- 6) ☒ Claim(s) 1-31, 35 and 38 is/are rejected.
- 7) ☒ Claim(s) 3, 6, 9 and 12 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on ____ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- ☐ Notice of Informal Patent Application
- ☐ Other: ____.

DETAILED ACTION

Abstract Objections

1. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains.

In lines 3-5, what is meant by "a gate way/proxy for connecting the sub-networks, a gate way/proxy for connecting the sub-network?"

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a. In claims 1, 7, 10, 13, 17, and 29, the definition of a relay service efficiency promoting section is not clear. What is mean by "an argument"? What is mean by "at the time of executès a service of relays a message"?
- b. In claim 30, does the claim 30 depend on claim 19?
- c. In claim 31, does the claim 31 depend on claim 18?.

Applicant is advised to carefully review the claim for full compliance with 35 U.S.C. 112, second paragraph.

Claim Rejections - 35 USC § 102

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4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

5. Claims 1, 2, 4, 5, 7, 8, 10, and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Yukie (US 2003/0036392, "Yukie").

Regarding claim 1, Yukie discloses a network control device (gateway, see 250 fig.2; 1015 fig.10), wherein a network system is formed of sub-networks having different kinds of network architectures (sub-networks, see fig.10; fig.2; fig.8), comprises:

- a relay service efficiency promoting section (gateway determining status, see 1015 fig.10 and ¶.54) which reduces physical constraints on a gate way mechanism (data to MRC can access to primary and secondary networks without making a separate connection, see 1005, 1050, & 1020 fig.10 and ¶.56) and on a procedure of the mechanism at the time of executes a service of relays a message (relaying data to MRC to primary and secondary networks, see fig.10 and ¶.56), an argument and a response in the network for the linkage of objects operating on network nodes belonging to the sub-networks (steps 1020-1045 in secondary sub-network and steps 1050-1060 in the primary sub-network in figure 10),

- the relay service efficiency promoting section having a service registry (registering , see fig.5-7 and ¶.14-16) provided on the gate way to store information (records & retrieves, see 1024 & 1050 fig.10 and also, see 530 fig.5) necessary for accessing a service on other sub-network (1045 & 1060 fig.10; also see details of registering in ¶.49-51).

Regarding claim 2, Yukie discloses, "wherein the relay service efficiency promoting section has a service proxy provided on the gate way (MRC, see 1010 fig.10), the service proxy having a mechanism of relaying (1010 fig.10) and standing proxy for processing to be executed at the time of requesting processing from a service on other sub-network (mobile's request in a different sub-networks, see fig.7-8)."

Regarding claim 4, Yukie discloses, "wherein the relay service efficiency promoting section has a function of analyzing a service request and conducting message conversion on the gate way (conversion, see ¶.26)."

Regarding claim 5, Yukie discloses, "wherein the sub-network is formed of an information system network, an operation system network, a wireless interconnect and a plurality of lines of portable apparatus interconnects (as shown in fig.3 and the related paragraphs)."

Regarding claim 7, it is a claim corresponding to claim 1, except the limitations of "connected in cascade (fig.2), having a message transfer mechanism (¶.26)" and is therefore rejected for the similar reasons set forth in the rejection of claim 1.

Regarding claim 8, Yukie discloses, "wherein the sub-network is formed of an information system network, an operation system network, a wireless interconnect and a plurality of lines of portable apparatus interconnects.

Regarding claim 10, it is a claim corresponding to claims 1 and 2 and is therefore rejected for the similar reasons set forth in the rejection of claims 1 and 2.

Regarding claim 11, it is a claim corresponding to claim 5 and is therefore rejected for the similar reasons set forth in the rejection of claim 5.

6. Claim 38 is rejected under 35 U.S.C. 102(e) as being anticipated by Saino et al. (US 2002/0055985, "Saino").

Regarding claim 38, Yukie discloses a program (algorithm, see ¶.46), comprising the functions of:

- monitoring arrival of a service request (monitoring for searching at look-up server, see 104 fig.1 and ¶.35),
- upon arrival of the service request (service search request, see ¶.35), interpreting a request message (attribute information, see ¶.35) to execute a service to be provided (if desired service exists in the look-up service, see ¶.36), and
- returning an execution result (not able to be searched ...notification, see ¶.35) to a service proxy (service-provider, see 101 fig.1 and ¶.37) on a transmission source's own sub-network (fig.1) to end the processing of one service request (end of the flow chart, see fig.3).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to

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a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Saino

Regarding claim 35, Saino discloses a program (algorithm, see ¶.46), comprising the functions of:

- receiving a service search request (at service register, see 105 fig.1 and ¶.35) from a service using node by a user side service registry (a client service register, see 111 fig.1) to search for registry information in the owned node (as shown in fig.1)
- returning service information relevant to a search key obtained (search results, see s302-303 and ¶.35) as a result of the search to software of the service using node (service object received, see S304 fig.3), and
- completing the search by the service registry (yes in s306 fig.3):

Yukie does not explicitly disclose the limitations of "again wait for a next search request." However, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to apply the flowchart in software for iterated service request since the system is not designed for only one time service.

Allowable Subject Matter

9. Claims 32-34, 36, and 37 are allowed.
10. Claims 3, 6, 9, and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
11. Claims 13-31 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

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Conclusion

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jung Park whose telephone number is 571-272-8565. The examiner can normally be reached on Mon-Fri during 6:15-3:45.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on 571-272-3126. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JP
Jung Park
Patent Examiner


CHAU NGUYEN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600